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United States

IMPORT REQUIREMENTS

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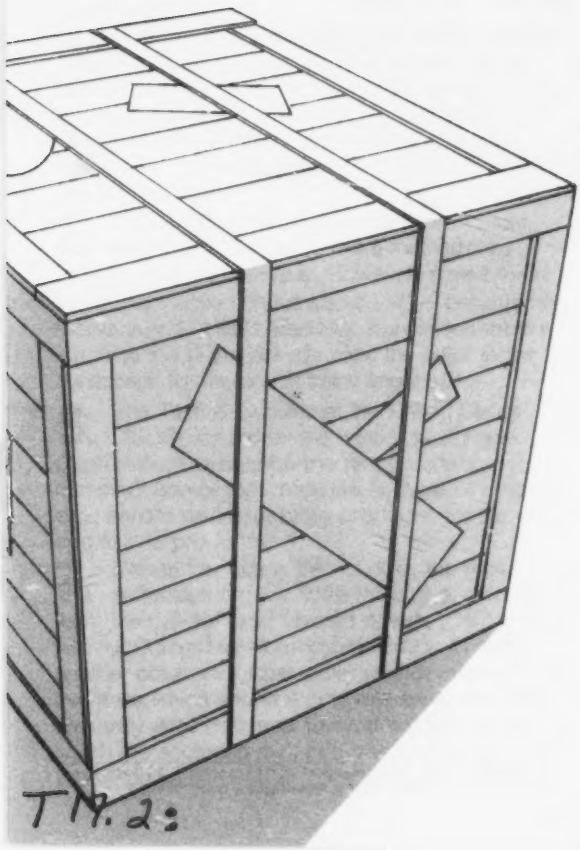

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United States

Import Requirements

1. An individual may make his own Customs clearance of goods imported for personal use or business.

2. The U.S. Customs Service does not require an importer to have a license or permit. Other agencies may, however, require a permit, license, or other certification, depending on the commodity.

3. All merchandise coming into the United States must clear through Customs and is subject to a customs duty unless specifically exempt from this duty by law. Clearance involves a number of steps—entry, inspection, valuation, appraisement, liquidation.

4. Customs duties are, generally, an ad valorem rate (a percentage) which is applied to the dutiable value of the imported goods. Some articles, however, are dutiable at a specific rate of duty (so much per pound, gallon, etc.); others at a compound rate of duty (combination of both ad valorem and specific rates).

5. The dutiable value of merchandise is determined by Customs. Several methods are used to arrive at this value. However, a new valuation system based on transaction value became effective July 1, 1980. Basically, transaction value is the price the buyer actually pays the seller in the transaction for the goods being imported.

6. The Tariff Schedules of the United States (TSUS), issued by the International Trade Commission, prescribe the rates of duty and classification of merchandise by type of product; e.g., animal and vegetable products, textile fibers and textile products.

7. Unless the item is free of duty, the tariff schedules provide three rates of duty for an item: the rate for most favored nations (Col. 1); the rate for Communist-bloc countries (Col. 2); and another column for least developed developing countries which shows a duty rate lower than that presently accorded most favored nations. Items which are accorded duty-free treatment under the Generalized System of Preferences, Caribbean

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Basin Initiative and Israeli Free Trade Act are also indicated.

8. Most items made in designated Caribbean and Central American countries may enter the United States duty free under the Caribbean Basin Recovery Act.

Message to Importers

This pamphlet is intended as a general explanation of import requirements for a person interested in going into an importing business or a person who may be importing something for personal use only, not for resale.

We, in Customs, want to help expedite the movement of goods in international trade. Constant review of methods and procedures, use of data processing, and enactment of new laws create constant change. We encourage you to obtain more specific import information from the customs officer at the port nearest your residence. A list of our district offices may be found on the last page of this booklet.

Arrival of Goods

Imported goods are not legally entered until after the arrival of the shipment within the limits of the port of entry and delivery of the merchandise has been authorized by Customs. This normally is accomplished by the filing of appropriate documents by you as the importer or your agent. Customs entry papers may be presented, however, at the customhouse before the arrival of the merchandise and receive the necessary preliminary examination.

The Customs Service does not notify you of the arrival of your shipment. Notification is usually made by the carrier of the goods. You should make your own arrangements to be sure you or your agent is informed immediately so that the entry can be filed and a delay in obtaining your goods is avoided.

Imported merchandise not entered through Customs within 5 days after its arrival, exclusive of

Sundays and holidays, or any authorized extension, is sent by Customs to public stores or a general order warehouse to be held as unclaimed. The importer is responsible for storage charges which incur while unclaimed merchandise is held at the warehouse. If it remains unclaimed at the end of 1 year, the merchandise is sold by action.

You must make whatever entry is required at the first port of arrival. If you are unable to be there to prepare and file your entry, commercial brokers, known as customhouse brokers and licensed by the Customs Service, may act as your agent. Such brokers charge a fee for their services. A list of customhouse brokers may be obtained from your local customs office or classified telephone directory.

In the case of a single noncommercial shipment, you may appoint a relative or other individual to act as your agent for customs purposes. This person must have knowledge of the facts pertaining to your shipment and must be authorized in writing to act for you.

Customs employees are prohibited by law from performing these tasks for the importing public. They will advise and give information to importers about customs requirements.

Entry of Goods

To make or file a customs entry, the following documents are generally required:

1. A bill of lading, airway bill, or carrier's certificate (naming the consignee for Customs purposes) as evidence of the right of the consignee to make entry.
2. A commercial invoice, obtained from the seller, which shows the value and description of the merchandise.
3. Entry manifest (Customs Form 7533) or Application and Special Permit for Immediate Delivery (Customs Form 3461).
4. Packing lists, if appropriate, and other documents necessary to determine whether the merchandise may be admitted.

At the time the entry is filed, the importer indicates the tariff classification and pays the estimated duty, if any. A surety bond containing various conditions including a provision for payment of any increased duty that may be found later may also be required.

Other Types of Entry

Imported goods may be sent in-bond from the first port of arrival to another customs port. Arrangements for in-bond shipments should be made before the goods leave the country of export. In-bond entries postpone final customs formalities, including payment of duty, until the goods arrive at the other port.

Imported merchandise may also be sent to a bonded warehouse under a warehouse entry. Duties are not paid on warehoused merchandise until the goods are withdrawn for consumption. Storage fees are paid to the warehouse proprietor by the importer.

Customs Examination of Goods

In simple cases involving small shipments or certain classes of goods such as bulk shipments, examination may be made usually on the docks, at container stations, cargo terminal, or the importer's premises. The goods are then released to the importer. In other shipments, representative packages of the merchandise may be retained by Customs for appraisement purposes and the remainder of the shipment released. These packages would also be released to the importer after examination has been completed.

Examination of goods is necessary to determine:

1. The value of the goods for Customs purposes and their dutiable status.
2. Whether the goods must be marked with the country of their origin or with special marking or labeling. If so, whether they are marked in the manner required. Generally, imported merchandise must be legibly marked in a conspicuous place and in a manner to indicate the English name of the country of origin to the ultimate purchaser in the United States. Certain specific articles are exempt from this requirement.
3. Whether the goods have been correctly invoiced.
4. Whether the shipment may contain prohibited articles.
5. Whether requirements of other agencies have been met.
6. Whether goods in excess of the invoiced quantities are present or a shortage of goods exists.

If necessary, goods may be analyzed by a Customs laboratory to determine proper classification and appraisement.

When examination and appraisement of the goods by Customs reveals differences from the entered descriptions in quantity or value, or when Customs finds that a different rate of duty applies than the one indicated by the importer, an increase in duties may occur.

When all the information has been acquired, including the report of the Customs import specialist as to the Customs value of the goods and the laboratory report, if required, a final determination of duty is made. This is known as liquidation of the entry. At this time, any overpayment of duty is returned or underpayments billed.

Protest

If an importer desires, he may, within 90 days after the date of liquidation or other decision, protest the decision and secure administrative review. Notice of the denial of a protest, in whole or in part, will be mailed to the importer. The importer may then decide whether or not to litigate. If an importer wishes judicial review, he will be required to file a summons in the Court of International Trade.

Mail Shipments

Shipments by mail which do not exceed $1000 in value, whether commercial or noncommercial importations, (for textiles only: personal accompanied shipments from all countries and personal unaccompanied shipments from all countries except Hong Kong, Guam and the Marianas, not exceeding $250), are entered under a mail entry prepared by a Customs officer after the Postal Service submits the package for Customs examination. The parcel is delivered to the addressee by the post office and is released upon the payment of the duty which is shown on the mail entry accompanying the package. A postal handling fee in the form of postage due stamps will be collected from the addressee at the time the package is delivered. This fee is not charged on packages sent through military mail channels.

A commercial mail shipment in excess of $1000 in value (any value for textiles) is forwarded to the Customs office nearest the addressee. Customs notifies the addressee of the arrival of the parcel and the location of the Customs office where Customs formalities may be arranged. Customs clearance will require the filing of an entry in the same manner as for shipments arriving by vessel or air freight.

Restricted Merchandise

Because our officers are stationed at all ports of arrival in the United States including Puerto Rico, they are called upon to enforce laws and regulations of other Government agencies.

A license or permit from the responsible agency is necessary to import:

alcoholic beverages
animals and animal products
certain drugs
firearms and ammunition
fruits, nuts
meat and meat products
milk, dairy, and cheese products
plants and plant products
poultry and poultry products
petroleum and petroleum products
trademarked articles
vegetables

Today, an increasing number of products or goods such as textiles, clothing, automobiles, boats, radios, television sets, and medical devices, are subject to special standards, declarations, certification, marking or labeling requirements.

Other merchandise must be examined for fitness of use, freedom from contamination, or may be subject to quotas on the quantity imported.

All these requirements must be met before the merchandise may be released by Customs.

Foreign Assets Control

The Foreign Assets Control Regulations prohibit the unlicensed importation of merchandise of North Korean, Cambodian (Kampuchean), Vietnamese, Libyan or Nicaraguan origin, including articles grown, produced, or manufactured therein. The unlicensed importation of goods of Cuban origin, articles containing Cuban components, and all goods imported from or through Cuba are prohibited. Goods of Mainland Chinese origin are authorized to be imported under a general license. Imports of South African Krugerrands and Krugerrand jewelry are similarly prohibited. Specific inquiries concerning these regulations should be made to the Office of Foreign Assests Control, Department of the Treasury, Washington, D.C., 20220.

Publications

Persons intent on going into the importing business will find the following publications invaluable. They may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402. Prices are subject to change.

Customs Regulations of the United States

Loose-leaf volume containing regulations published for the purpose of carrying out customs, navigation, and other laws administered by the U.S. Customs Service. Price: $55.00 includes revised pages for subscription year; $62.50 foreign mailing (surface). Note: Customs Regulations are also contained in the Code of Federal Regulations, Title 19, Chapter I.

Customs Bulletin

A weekly pamphlet containing regulations, rulings, decisions and notices concerning Customs and related matters decisions of the United States Court of Appeals for the Federal Circuit and the Court of International Trade. Price $89.00 a year, domestic mailing; $111.25 a year foreign mailing.

Tariff Schedules of the United States (Annotated)

A technical document for use in classification of imported merchandise for rates of duty and statistical purposes. Price: $47.00 for 1st class mailing; $58.75 for foreign mailing (surface). Price includes supplements for subscription year.

District Offices

Additional information may be obtained from District Director of Customs listed below or you may consult your telephone directory for a Customs port of entry closer to you as there are nearly 300 ports of entry. The listing will be under U.S. Government, Treasury Department.

Anchorage, Alaska 99501/620 E. Tenth Ave.
Baltimore, Maryland, 21202/ 40 S. Gay St.
Boston, Massachusetts 02109/2 India St.
Buffalo, New York 14202/111 W. Huron St.
Charleston, South Carolina 29402/200 E. Bay St.
Charlotte Amalie, St. Thomas-Virgin Islands 00801/ Main P.O. Sugar Estate
Chicago, Illinois 60607/610 S. Canal St.
Cleveland, Ohio 44114/55 Erieview Plaza
Dallas, Texas 75261/DFW Airport, P.O. Box 619050

Detroit, Michigan 48226/477 Michigan Ave.
Duluth, Minnesota 55802/515 W. First St.,209 Fed.Bldg.
El Paso, Texas 79985/Bldg. B, Room 134 Bridge of the Americas (PO Box 9516)
Great Falls, Montana 59401/215 1st Ave., N.
Honolulu, Hawaii 98606/335 Merchant St.
Houston, Texas 77502/P.O. Box 52790
Laredo, Texas 78041/Mann Rd.&Santa Maria/(POB 3130)
Los Angeles, California 90731/300 S. Ferry St., Room Room 1001, Terminal Island
Miami, Florida 33131/77 S.E. 5th St.
Milwaukee, Wisconsin 53202/628 E. Michigan St.
Minneapolis, Minnesota 55401/110 S. Fourth St.
Mobile, Alabama 36601/250 N. Water St.
New Orleans, Louisiana 70130/ 423 Canal St.
New York, New York
*New York Seaport Area, New York, New York 10048 Customhouse, 6 World Trade Center
*Kennedy Airport Area, Jamaica, New York 11430 Cargo Building 80, Room 2E
*Newark Area, Newark, New Jersey 07114 Airport International Plaza
Nogales, Arizona 85621/International & Terrace Sts.
Norfolk, Virginia 23510/101 E. Main St.
Ogdensburg, New York 13669/1327 N. Water St.
Pembina, North Dakota 58271/Post Office Bldg.
Philadelphia, Pennsylvania 19106/2nd & Chestnut Sts.
Port Arthur, Texas 77640/5th & Austin Ave.
Portland, Maine 04111/312 Fore St.
Portland, Oregon 97209/N.W. Broadway & Glisan Sts.
Providence, Rhode Island 02903/24 Weybosset St.
St. Albans, Vermont 05478/Main & Stebbins St., (POB 111)
St. Louis, Missouri 63105/120 S. Central Ave.
St. Thomas, Virgin Islands 00801/(POB 510)
San Diego, California 92188/880 Front St.
San Francisco, California 94126/555 Battery St., (POB 2450)
San Juan, Puerto Rico 00903/POB 2112
Savannah, Georgia 31401/1 East Bay St.
Seattle, Washington 98174/909 First Ave.
Tampa, Florida 33602/301 S. Ashley Dr.
Washington, D.C. 20041/POB 17423 Gateway 1 Bldg.,Dulles Intl. Apt., Chantilly, Va. 22021
Wilmington, North Carolina 28401/1 Virginia Ave.

*Area Director of Customs

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